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4 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 SHAWN DALE NAÑEZ,

7 Plaintiff,

8 v.

9 KAREN DANIELS ET. AL.,

10 Defendants.

Case No. C17-5663-RBL-TLF

ORDER RE-NOTING MOTION TO  
DISMISS

11 Defendants filed a Motion to Dismiss under Federal Rule of Civil Procedure (Fed. R.  
12 Civ. P.) 41(b) on. Dkt 19. The motion was noted for December 8, 2017. Dkt. 18. Pursuant to  
13 Local Rule (LCR) 7(d)(3), any opposition to defendants' motion was due to be filed on or before  
14 December 4, 2017. Plaintiff failed to file any opposition to defendants' motion.

15 The Court notes that plaintiff's Motion for Court-Appointed Counsel (Dkt. 5) was also  
16 pending at the time defendants filed their Motion to Dismiss. Plaintiff's motion was denied by  
17 separate order on January 30, 2018.

18 Because plaintiff may have delayed responding to defendants' motion due to the pending  
19 Motion for Court-Appointed Counsel, and in order to ensure plaintiff is aware of his obligation  
20 to respond and has an opportunity to do so, the Court hereby **ORDERS** that defendants' Motion  
21 to Dismiss is re-noted to **March 2, 2018**. To the extent plaintiff intends to submit opposition  
22 papers to defendants' motion, he must do so on or before **February 26, 2018**. Defendants may  
23 submit a reply on or before the noting date.  
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1 The Clerk shall send a copy of this Order to the plaintiff.

2 Dated this 31st day of January, 2018.

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6 Theresa L. Fricke  
7 United States Magistrate Judge  
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